Calendar No. 180

98TH CONGRESS, 1st Session | SENATE | REPORT No. 98–118

AUTHORIZING APPROPRIATIONS TO THE NUCLEAR REGULATORY COMMISSION

MAY 16, 1983.—Ordered to be printed

Mr. SIMPSON, from the Committee on Environment and Public Works, submitted the following

REPORT

[To accompany S. 1291]

The Committee on Environment and Public Works, reports an original bill (S. 1291) to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954, and section 305 of the Energy Reorganization Act of 1974 and recommends that the bill do pass.

GENERAL STATEMENT

The bill, as reported, authorizes $466,800,000 for salaries and expenses of the Nuclear Regulatory Commission (NRC) for fiscal year 1984, the amount requested by the Commission. The authorization represents a decrease of $12.7 million from the amount requested by the Administration for fiscal year 1983 and a decrease of $7.7 million from the amount appropriated for fiscal year 1983.[1] The Committee's recommendation include funding for 3,371 permanent staff positions.

The bill also authorizes $460,000,000 for salaries and expenses for the agency for fiscal year 1985. This amount, which is the amount requested by the Nuclear Regulatory Commission, includes funding for 3,325 permanent staff positions.

The Committee intends to review the NRC's proposed budget request for fiscal years 1984 and 1985 in more detail in the near future. Specific funding of individual program offices, together with any additional policy issues that warrant attention, will be the subject of subsequent consideration by the Subcommittee on Nuclear Regulation.

[1] NRC's fiscal year 1983 appropriation, which is included in the Energy and Water Development Appropriation bill, has not yet been acted upon by either the Senate or the House. The NRC is currently funded under Public Law 97–276, "Continuing Appropriations for Fiscal Year 1983", at a "current rate" of $462,504,000.

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These funding and policy issues will be addresed prior to proceeding to consideration of this bill by the full Senate.

In considering this bill, the Committee did note its intention to move forward with prompt consideration of emergency preparedness at commercial nuclear powerplants and, in particular, with consideration of the issues raised at a hearing held before the Subcommittee on Nuclear Regulation on April 15, 1983. Senator Simpson, Chairman of the Subcommittee on Nuclear Regulation, has agreed, as part of the Subcommittee's consideration of a legislative resolution of these issues, to consider the possible need for, and the merits and disadvantages of, direct financial assistance to State and local governments to prepare offsite radiological emergency preparedness plans.

HEARINGS

The Committee and its Subcommittee on Nuclear Regulation held three hearings and heard from 26 witnesses in order to develop a public record for Committee review and action on the bill.

On February 17, 1983, the Committee on Environment and Public Works held a hearing on budget authorizations for agencies under the committee's jurisdiction. Chairman Nunzio J. Palladino submitted for the record on that date a budget statement and overview of the NRC's budget request.

On March 10, 1983, the Subcommittee on Nuclear Regulation held a hearing on the NRC's budget request for fiscal years 1984 and 1985. A broad overview of the NRC's fiscal years 1984 and 1985 programs was presented by Chairman Nunzio J. Palladino and Commissioners Victor Gilinsky, John F. Ahearne, Thomas M. Roberts, and James K. Asselstine. Supporting testimony for the record was supplied by: William J. Dircks, Executive Director for Operations; Harold R. Denton, Director, Office of Nuclear Reactor Regulation; Victor Stello, Jr., Director, Office of Inspection and Enforcement; John G. Davis, Director, Office of Nuclear Material Safety and Safeguards; and Robert B. Minogue, Director, Office of Nuclear Regulatory Research.

On April 15, 1983, the Subcommittee on Nuclear Regulation held a hearing on emergency planning and preparedness at commercial nuclear powerplants. Chairman Nunzio J. Palladino, accompanied by Commissioners Victor Gilinsky, John F. Ahearne, Thomas M. Roberts, and James K. Asselstine, testified on behalf of the Commission. Richard Krimm, Assistant Associate Director, Office of Natural and Technological Hazards, Federal Emergency Management Agency (FEMA), accompanied by Gary Johnson, Acting Chief, Technological Hazards Division, Spencer Perry, Office of General Counsel, and Bill Jones, Assistant Director, Office of Emergency Coordination and Support, testified on behalf of FEMA. Also testifying were Murray R. Edelman, Chairman, Committee on Reactor Licensing and Safety, Atomic Industrial Forum, accompanied by Dr. Frederick W. Buckman, Chairman, Subcommittee on Emergency Preparedness and Siting, Atomic Industrial Forum, and George Gleason, Executive Vice President, American Nuclear Energy Council; Stenven C. Sholly, Technical Research Associate, Union of Concerned Scientists, and

Michael E. Faden, Legislative Counsel, Union of Concerned Scientists; Mr. Don Godard, Administrator of Siting, Department of Energy, State of Oregon; and Mr. Doran Hughes, Director, Emergency Services Office, Kenosha County, Wisconsin.

COST OF LEGISLATION

Section 252.(a)(1) of the Legislative Reorganization Act of 1970 requires publication of the Committee's estimate of the costs of reported legislation, together with estimates prepared by any Federal agency. The estimate for fiscal year 1984 is $466.8 million. The estimate for fiscal year 1985 is $460.0 million.

While it is contemplated that most programs will continue beyond fiscal year 1985, future funding levels depend upon decisions which have not yet been made. Following are estimates for projected NRC budget authority, based upon NRC information:

Fiscal years:	*Estimate (millions)*
1984	$466.8
1985	460.0
1986	450.0
1987	430.0
1988	430.0

Section 403 of the Congressional Budget and Impoundment Control Act requires each bill to contain a statement of the cost of such bill prepared by the Congressional Budget Office. That report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., May 13, 1983.

Hon. ROBERT T. STAFFORD,
Chairman, Committee on Environment and Public Works, U.S. Senate, Dirksen Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for a bill to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and section 305 of the Energy Reorganization Act of 1974, as amended, and for other purposes.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

ALICE M. RIVLIN,
Director.

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

MAY 13, 1983.

1. Bill number: Not yet assigned.
2. Bill title: A bill to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic

Energy Act of 1954, as amended, and section 305 of the Energy Reorganization Act of 1974, as amended, and for other purposes.

3. Bill status: As ordered reported by the Senate Committee on Environment and Public Works, May 10, 1983.

4. Bill purpose: This bill authorizes the appropriation of $466.8 million and $460 million for the Nuclear Regulatory Commission (NRC) for fiscal year 1984 and 1985, respectively. These amounts are identical to the President's request for those years. Fiscal year 1983 appropriations to date are $462.5 million.

5. Estimated cost to the Federal Government:

	Millions
Authorization level:	
Fiscal year:	
1984	$466.8
1985	460.0
1986	------
1987	------
1988	------
Estimated outlays:	
Fiscal year:	
1984	284.7
1985	409.0
1986	180.2
1987	52.9
1988	------

The costs of this bill fall within budget function 270.

Basis of estimate: For the purposes of this estimate, it is assumed that this bill will be enacted and that the entire amounts authorized will be appropriated prior to the beginning of each fiscal year. The estimated annual outlays are based on the historical spending patterns for the NRC's programs.

6. Estimated cost to State and local governments: None.

7. Estimate comparison: None.

8. Previous CBO estimate: On May 3, 1983, the Congressional Budget Office prepared a cost estimate for H.R. 2510, a similar bill ordered reported by the House Committee on Interior and Insular Affairs. The estimated budget impact of the two bills is identical.

9. Estimate prepared by: Kathleen Gramp.

10. Estimate approved by:

C. G. NUCKOLS
(For James L. Blum,
Assistant Director for Budget Analysis).

EVALUATION OF REGULATORY IMPACT

In compliance with section 11(b)(1) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact of the reported bill.

The bill has no impact on personal privacy of individuals.

The bill has no effect on paperwork, except to the extent that it will facilitate efficient proceedings by the agency and thereby reduce paper work and delay.

There is no specific economic impact of this bill, although regulatory actions taken under the basic authority of the agency do have an economic impact by applying certain requirements and standards to

such businesses as nuclear power plants, fuel production facilities, and suppliers thereof.

Recordkeeping requirements are not changed from existing law.

ROLLCALL VOTES

Section 7(b) of rule XXVI of the Standing Rules of the Senate and the rules of the Committee on Environment and Public Works require that any rollcall votes taken during consideration of this bill be announced in this report.

During Committee consideration of this bill, there were no rollcall votes. The bill was ordered reported by voice vote.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of the rule XXIX of the Standing Rules of the Senate, the Committee reports that this bill makes no changes in existing law.

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